

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Integrated Process Solutions, Inc.,

Court File No.: 19-cv-00567

Hon. _____

Plaintiff,

vs.

Lanix LLC, Kevin Landsverk, and
Dylan Dyke,

Defendants.

**DECLARATION OF TIM MCCORRY
IN SUPPORT OF MOTION FOR
TEMPORARY RESTRAINING
ORDER, EXPEDITED DISCOVERY,
AND PRESERVATION OF EVIDENCE**

Tim McCorry, being first duly sworn, declares as follows:

1. I am the Director of Forensic Services at Xact Data Discovery (“XDD”), a leading international provider of eDiscovery, data management and managed review services for law firms and corporations. XDD has been retained by Integrated Process Solutions (“IPS”) and its counsel to assist with a forensic investigation of the data, communications, and other information associated with IPS’s claims against defendants Lanix, LLC (“Lanix”), Kevin Landsverk (“Landsverk”), and Dylan Dyke (“Dyke”) (collectively “Defendants”).

2. In conversations between XDD and IPS, it was determined that on February 18, 2019, IPS employees delivered a desktop computer, a laptop computer, an iPad, and a Samsung mobile phone to XDD possession. IPS employees represented to XDD that these devices were used exclusively by Landsverk during his tenure with IPS.

3. On February 19th, 2019, XDD collected Kevin Landsverk’s personal iPad device (Serial #: DLXNW2NTG5YM) and Samsung Note 8 Phone (Serial #:

R38J9089BYJ).

4. For the Samsung Note 8 Phone, XDD provided text messages that were still actively stored on the phone messaging database. Both multi-media messages (MMS) and short messaging services (SMS) were exported for review.

5. On February 20th, 2019, XDD collected KLandsværk's Microsoft O365 email account ("KLandsverk@ipsamerica.biz"). After processing the data, XDD provided Nilan Johnson with a total of 1,994 files stored in that account. Nilan Johnson was able to determine that of those documents, 1,010 were his contacts; 581 were calendar events with no content other than date, title of the event, and participants (where applicable); 327 were emails; and 76 were attachments to those emails. Of the 327 emails recovered, only seven dated prior to January 24, 2019 and the earliest is dated from April 16, 2018.

6. Additionally, XDD preserved 1 Dell Laptop (Serial #: 8FBFHR2) and 1 Gaming Desktop (Serial #: S2GMNCABA05443R). It was determined that a full forensic investigation was needed on the two devices to identify any potential documents of IPS that may have been compromised by the end-user copying, emailing, removing, or printing of documents from IPS property.

7. After initial investigation of the Desktop computer, it was determined that the computer was wiped recently and therefore had little to no user content on it. The computer we imaged had a Windows install date of February 8, 2019 at 2:21:13 AM UTC. XDD did check if there was email available and determined now no email was available and minimal data was on the computer.

8. After initial investigation of the Laptop computer, it too was determined that

the computer was wiped recently and therefore had little to no user content on it. The computer was an Ubuntu Linux machine and had an install date of February 9, 2019 at around 9:45 PM. This machine suggests no one has even logged on after install and we have checked, there is no email data available.

9. I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct based upon my personal knowledge, except as otherwise stated.

Dated: March 7, 2019

/s/ Tim McCorry
Tim McCorry